

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Michael John Husten,

File No. 21-cv-01722 (ECT/JFD)

Petitioner,

v.

**ORDER ACCEPTING REPORT
AND RECOMMENDATION**

Paul Schnell, *Commissioner - Minnesota
Department of Corrections*, and Roy Bosch,
Warden - Stillwater State Prison,

Respondents.

Magistrate Judge John F. Docherty issued a Report and Recommendation on November 3, 2021. ECF No. 19. No party has objected to that Report and Recommendation, and it is therefore reviewed for clear error. *See* Fed. R. Civ. P. 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam). Finding no clear error, and based upon all of the files, records, and proceedings in the above-captioned matter, **IT IS ORDERED THAT:**

1. The Report and Recommendation [ECF No. 19] is **ACCEPTED**;
2. The Petition for Habeas Corpus Order, for a Compassionate-Release from Incarceration [ECF No. 1] is **DENIED**;
3. This action is **DISMISSED WITHOUT PREJUDICE** for lack of jurisdiction; and

4. No certificate of appealability is issued.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: December 3, 2021

s/ Eric C. Tostrud

Eric C. Tostrud
United States District Court